

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

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COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

IN RE ANTHONY E.)
) 2 CA-JV 2011-0088
) DEPARTMENT A
)
) MEMORANDUM DECISION
) Not for Publication
) Rule 28, Rules of Civil
) Appellate Procedure
)
)
)
)
)

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. 17898902

Honorable Gus Aragón, Judge

AFFIRMED

Emily Danies

Tucson
Attorney for Appellant

B R A M M E R, Judge.

¶1 Pursuant to a plea agreement encompassing two delinquency petitions, the minor Anthony E. admitted allegations he had committed three counts of misdemeanor assault. The juvenile court adjudicated Anthony delinquent and placed him on probation for six months. At a subsequent restitution hearing, the court ordered him to pay restitution to the victims in the amount of \$1,028.33 as a condition of his probation. He appeals from the court’s August 16, 2011, restitution order, the final order entered in this matter.¹

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), which also applies to juveniles, *see In re Maricopa Cnty. Juv. Action No. JV-117258*, 163 Ariz. 484, 486, 788 P.2d 1235, 1237 (App. 1989), avowing she has reviewed the record and found no arguable issue to raise on appeal. In compliance with *State v. Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d 89, 97 (App. 1999), she has provided “a detailed factual and procedural history of the case with citations to the record, [so] this court can satisfy itself that counsel has in fact thoroughly reviewed the record.”

¶3 Pursuant to our obligation under *Anders*, we have reviewed the record in its entirety and are satisfied it supports counsel’s recitation of the facts concerning both the adjudication of delinquency and the amount of the restitution award. Viewed in the light most favorable to upholding the juvenile court’s orders, *see In re John M.*, 201 Ariz. 424, ¶ 7, 36 P.3d 772, 774 (App. 2001), the evidence established that Anthony had first entered the juvenile system at the age of twelve. In the almost five years that followed,

¹*See In re Eric L.*, 189 Ariz. 482, 484, 943 P.2d 842, 844 (App. 1997) (notice of appeal of restitution order “encompasses all previous orders entered by the juvenile court”).

he was adjudicated delinquent multiple times. A factual basis supported Anthony's admissions that he intentionally, knowingly, or recklessly had caused physical injury to two victims during an altercation on Mount Lemmon, and on a separate occasion, had injured another individual when she tried to intervene during an altercation between Anthony and her father. *See* A.R.S. § 13-1203(A)(1), (B). And, we find no error in the court's conclusion Anthony made those admissions knowingly, intelligently, and voluntarily. In addition, the evidence presented at the restitution hearing supported the damages to the victims' property incurred during the altercation on Mount Lemmon, and the court's disposition and restitution orders were statutorily authorized. *See* A.R.S. §§ 8-341(A)(1)(a), 8-344(A).

¶4 Pursuant to our obligation under *Anders*, we have reviewed the entire record for error warranting reversal and have found none. Therefore, we affirm the court's adjudication, disposition, and restitution orders.

/s/ J. William Brammer, Jr.

J. WILLIAM BRAMMER, JR., Judge

CONCURRING:

/s/ Joseph W. Howard

JOSEPH W. HOWARD, Chief Judge

/s/ Peter J. Eckerstrom

PETER J. ECKERSTROM, Presiding Judge